

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ROBERT LEE DeFOY)
)
Petitioner)
)
v.) C.A. No. 00-110 Erie
)
JOHN M. MCCULLOUGH, et al.,)
)
Respondents.)

PETITIONER ROBERT LEE DeFOY'S MOTION TO COMPEL

AND NOW, comes the Petitioner, Robert Lee DeFoy, by his attorney, Thomas W. Patton, Assistant Federal Public Defender, and files this Motion to Compel. In support thereof Counsel states:

1. On March 15, 2005 this Court held a status conference at which it gave Mr. DeFoy 30 days to submit his discovery request.

2. On April 8, 2005, Mr. DeFoy served upon opposing counsel his initial discovery request.

Petitioner's Exhibit A.

3. To date, Respondent has not responded to Mr. DeFoy's discovery request.

4. Mr. DeFoy respectfully requests that this Court enter an Order compelling Respondent to respond to his discovery request.

WHEREFORE, petitioner, Robert Lee DeFoy, respectfully requests that this Honorable Court to enter an Order compelling the respondent to respond to his discovery request

Respectfully submitted,

/s/ Thomas W. Patton

Thomas W. Patton
Assistant Federal Public Defender
P.A. I.D. No. 88653